REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1, 10, 11, 18, 19, and 26 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-26 are pending and under consideration. Reconsideration is respectfully requested.

REJECTION UNDER 35 U.S.C. §103

In the Office Action at pages 2-4, numbered item 4, claims 1-26 were rejected under 35 U.S.C. §103 over U.S. Patent No. 5,103,490 to McMillin in view of U.S. Patent No. 6,594,405 to Flannery. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claim 1, as amended, is directed to a data converting apparatus and recites "a superimposing part superimposing at least a first set of image data converted from a first set of input data substantially prior to a time of printing and a second set of image data converted from a second set of input data different from the first set of input data, to generate a single set of superimposed image data," in which "the superimposing part superimposes the first and second sets of image data substantially when the image forming apparatus receives a command to form the image on the media," support for which is found in the originally filed Specification at least at page 18, lines 2-30. Independent claims 11 and 19 are amended to recite similar features.

As an advantage, in a non-limiting example, by processing an overlay registration and overlay print, when a user makes an address book, a new overlay file which stores information concerning a form for the address book may be created and stored. The user may make address information including name, zip code, address and other information as text data or a document by using an application, and then the user may attempt an overlay print to superimpose the address information over the form. After the overlay print, such a superimposed output may be printed out from a printer.

The printer driver may include the overlay control process. Therefore, no special application for the overlay print is required. In addition, a printer is not required to have a

storage area to store overlay forms, and no printer system having special functions other than the printer system which is part of the operating system is required to operate the overlay registration, the overlay management, the overlay print, and the normal print (see Specification at page 18, lines 20-30).

McMillin, in contrast, discusses only storing multiple scanned images of a response-marked form document. In McMillin, two sets of image data are combined to form a third set of image data, both of the first and second sets of image data being scanned in as image data. Accordingly, it is respectfully submitted that McMillin does not teach or suggest "superimposing at least a first set of image data converted from a first set of input data substantially prior to a time of printing and a second set of image data converted from a second set of input data different from the first set of input data, the second set of input data including non-image data," as recited in independent claims 1, 11, and 19, because McMillin teaches that both the first and second sets of image data are formed from scanned in image data.

Further, it is respectfully submitted that Flannery also fails to teach or suggest the features recited in the amended independent claims. Applicants respectfully submit the Flannery only teaches displaying a scaled image of a form which is scanned in while a user positions text or other data for printing in the fields of the form. An image of the pre-printed form is provided to a document having a background and a foreground, and the image is displayed in the background while data is entered in the foreground. Accordingly, it is respectfully submitted that Flannery fails to teach or suggest superimposing "the first and second sets of image data substantially when the image forming apparatus receives a command to form the image on the medium." Applicants submit that, in Flannery, the first set of image data is displayed during positioning of data, which is different from superimposing when a command is received to form an image on a medium, as recited in amended independent claims 1, 11 and 19. Thus, Applicants respectfully submit that amended independent claims 1, 11, and 19, and each of the claims depending therefrom patentably distinguish over McMillin and Flannery.

Amended independent claim 10 is directed to a data converting apparatus and recites "limiting use of the predetermined form in accordance with limitation information that the form storing part stores associated with the predetermined form," in which "the limitation information includes permission of a user to initiate the superimposing by the superimposing part," support

for which is found in the originally filed Specification at least at page 14, lines 28-37. Amended independent claims 18 and 26 recite similar features.

In a non-limiting example, an overlay control part my check whether it is permitted to change a layout of a selected overlay form on a sheet. When a bit for the change layout authorization in a management table of an overlay file indicates that a user is not permitted to change the layout, the layout is not permitted (*see* Specification at page 14, lines 28-37 and page 13, lines 29-37). As an advantage, it is possible to manage user access via a network so that the data converting apparatus can be connected to the network and remote users can safely be allowed to use the overlay print (*see* Specification at page 18, line 31-37).

In contrast, as acknowledged at page 3 of the outstanding office action, "the superimposing part disclosed in McMillin does not superimpose the two different sets of image data in accordance with limitation information showing a limitation of use so that at least one set of image data . . . or storing the limitation information by associating with the predetermined form." Moreover, Flannery, at column 4, lines 20-28, only teaches parameters limiting paper size or the number of pages in a form, for example, but it does not teach or suggest that "the limitation information includes permission of a user to initiate the superimposing by the superimposing part," as recited, for example, in amended independent claim 10. Accordingly, Applicants respectfully submit that amended independent claims 10, 18 and 26 patentably distinguish over McMillin and Flannery.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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